

## **SIMSBURY ZONING COMMISSION**

*Draft Sign Regulations Revised December 20, 2021*

### **SECTION 9 SIGN REGULATIONS**

#### **9.1 Applicability**

Any sign erected, altered, or maintained after the effective date of this Section shall conform to the following regulations.

#### **9.2 Purpose & Intent**

Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. The intent of this Section 9 is to regulate all signs within Town of Simsbury to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare by:

- A. Setting standards and providing uniform, scientifically-based controls that permit reasonable use of signs and preserve the character of the Town of Simsbury.
- B. Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.
- C. Avoiding excessive conflicts from large or multiple signs, so that permitted signs provide adequate identification and direction while minimizing clutter, unsightliness, and confusion.
- D. Establishing a process for the review and approval of sign permit applications.
- E. Ensuring sign design that builds on the traditional town image and visual environment the Town of Simsbury seeks to promote.

#### **9.3 Prohibited Signs**

The following signs are unlawful and prohibited:

- A. Abandoned signs.
- B. Signs on Utility Poles. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this Section.
- C. Vehicular signs. This regulation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.

- D. Mechanical movement signs, including revolving signs.
- E. Pennant strings and streamers.
- F. Animated signs, flashing signs, or signs that scroll or flash text or graphics.
- G. Inflatable devices or balloon signs, with the exception of balloons used in temporary, non-commercial situations.
- H. Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.
- I. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape.
- J. Signs which emit smoke, visible vapors, particulate matter, sound, odor or contain open flames.
- K. Reflective signs or signs containing mirrors.
- L. Interactive signs.
- M. Signs incorporating beacon or festoon lighting.
- N. Any banner or sign of any type suspended across a public street, without the permission of the owner of the property and road.
- O. Roof signs.
- P. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.
- Q. Any sign containing information which states or implies that a property may be used for any purpose not permitted under the provisions of the Simsbury Zoning Regulations.
- R. Signs that exhibit statements, words, or pictures of obscene or pornographic subjects as determined by the Simsbury Zoning Commission.
- S. Any sign that promotes illegal activity.
- T. Billboards and Off-Premises signs.

## 9.4 Signs Exempt from Permit Requirements

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this section, if any.

A. Official traffic signs.

B. Government/regulatory signs.

C. Signs inside a building, or other enclosed facility, which are not meant to be viewed from the outside and are located greater than three (3) feet from the window.

D. Holiday and seasonal decorations.

E. Personal expression signs of any sign type, including political campaign signs and flags, provided that they do not exceed three (3) sq. ft. in area per side, are non-commercial in nature, and not illuminated.

F. Address signs - Up to two (2) signs stating address, number and/or name of occupants of the premises and do not include any commercial advertising or other identification. 1. Residential districts. Signs not to exceed three (3) sq. ft. in area. 2. Non-residential districts. Signs not to exceed five (5) sq. ft. in area.

G. Public signs - Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.

H. Signs or emblems of a religious, civil, philanthropic, historical or educational organization that do not to exceed four (4) sq. ft. in area.

I. Private drive signs - One (1) sign per driveway entrance, not to exceed two (2) sq. ft. in area.

J. Security and warning signs - These limitations shall not apply to the posting of conventional “no trespassing” signs in accordance with state law.

K. Flags:

1. Location. Flags and flagpoles shall not be located within any right-of-way. Height. Flags shall have a maximum height of 30 ft.

2. Number. No more than two (2) flags per lot in residential districts, no more than three (3) flags per lot in all other districts.

3. Size. Maximum flag size is 24 sq. ft. in residential districts, 35 sq. ft. in all other districts.

4. Flags containing commercial messages may be used as permitted freestanding or projecting signs, and, if so used, the area of the flag shall be included in, and limited by the computation of allowable area for signs on the property.

5. Flags up to three (3) sq. ft. in area containing noncommercial messages are considered personal expression signs and are regulated in accordance with §5.E.

L. Legal notices.

M. Vending machine signs.

N. Memorial signs, public monument or historical identification sign erected by the Town of Simsbury, including plaque signs up to three (3) sq. ft. in area.

O. Signs which are a permanent architectural feature of a building or structure, existing at the time of adoption of this Regulation.

P. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.

Q. Incidental signs, including incidental window signs.

R. Directional signs provided they do not contain any commercial messaging.

1. Area. No single directional sign shall exceed four (4) sq. ft. in area.

2. Height. Directional signs shall have a maximum height of five (5) ft.

3. Illumination. Directional signs shall be non-illuminated.

S. Art and murals provided such signs do not contain any commercial messaging.

T. Temporary signs as defined in and subject to the requirements of this Section.

## **9.5 General Regulations**

A. Sign location.

1. No sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.

2. Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground utility and communications lines or equipment.

B. Sign Materials & Construction:

Every sign shall be constructed of durable materials, using noncorrosive fastenings; shall be structurally safe and erected or installed in strict accordance with the CT State Building Code; and shall be always maintained in safe condition and good repair so that all sign information is clearly legible.

C. Sign Area.

1. The area of a sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided that it does not contain any lettering, wording, or symbols.

2. Where the sign consists of individual letters, designs, or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all the letters, designs, and symbols.

3. Signs that may be double-sided.

i. Only one (1) side shall be considered when determining the sign area, provided that the faces are equal in size, the interior angle formed by the faces is less than 45 degrees, and the two faces are not more than 18 inches apart.

ii. Where the faces are not equal in size, but the interior angle formed by the faces is less than 45 degrees and the two faces are not more than 18 inches apart, the larger sign face shall be used as the basis for calculating sign area.

iii. When the interior angle formed by the faces is greater than 45 degrees, or the faces are greater than 18 inches apart, all sides of such sign shall be considered in calculating the sign area.

4. Signs that consist of, or have attached to them, one or more three-dimensional or irregularly shaped objects, shall have a sign area of the sum of two adjacent vertical sign faces of the smallest cube encompassing the sign or object.

5. If elements of a sign are movable or flexible, such as a flag or banner, the measurement is taken when the elements are fully extended and parallel to the plane of view.

6. The permitted maximum area for all signs is determined by the sign type and the zoning district in which the sign is located.

D. Sign Height.

1. Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade of the street closest to the sign. In the case of a sign located greater

than 100 feet from a public street, height shall be measured to the mean grade at the base of the sign.

2. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.

3. The permitted maximum height for all signs is determined by the sign type and the zoning district in which the sign is located.

E. Sign Spacing:

The spacing between sign structures shall be measured as a straight-line distance between the closest edges of each sign.

F. Sign Illumination.

1. Signs may be illuminated, unless otherwise specified herein, consistent with the following standards:

a. Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.

b. No more than 0.2 foot-candle of light shall be detectable at the boundary of any abutting property.

c. Hours of Operation:

i. Signs on non-residential properties may be illuminated from 5 am until 11 pm, or ½ hour past the close of business of the facility being identified or

ii. Signs shall provide an automatic timer to comply with the intent of this Section.

d. Brightness: Digital displays are subject to the following brightness limits:

i. During daylight hours between sunrise and sunset, luminance shall be no greater than five thousand (5,000) nits.

ii. At all other times, luminance shall be no greater than two hundred fifty (250) nits.

iii. Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change. to comply with the limits set here within.

e. Message Duration:

The length of time each message may be displayed on a digital display is based upon the visibility and speed limit unique to individual signs and adjacent road conditions.

The following method should be used to calculate message duration for digital displays.

- i. Determine the greatest distance from which the sign becomes visible on the road the sign is primarily intended to serve. If a sign is intended to be seen by more than one roadway, the road with the lower posted speed limit shall be used for determining message duration.
- ii. Multiply the road's posted speed limit (MPH) by 5,280, and then divide by 3,600 to obtain the speed limit in feet/second.
- iii. Divide the visibility distance by the speed limit (feet/second).  
Add an additional ten (10) percent of this number to the total.
- iv. The resulting amount of time is the minimum permitted message duration, except where this value is less than eight (8) seconds in which the minimum message duration shall be no less than eight (8) seconds.

2. Types of Illumination: Where permitted, illumination may be:

a. External: Externally illuminated signs, where permitted, are subject to the following regulations:

- i. The source of the light must be concealed by translucent covers.
- ii. External illumination shall be by a steady, stationary light source, shielded and directed solely at the sign. The light source must be static in color.

b. Internal: Internally illuminated signs, are allowed only at properties which are zoned B3 and located within 850 feet of Albany Turnpike, and are subject to the following regulations:

- i. Internal illumination, including neon lighting, must be static in intensity and color.
- ii. Digital displays are permitted in accordance with the regulations.

3. Digital display signs are subject to the following regulations in addition to all other requirements established in this Section.

a. Sign Type: Digital displays are permitted in the form of on-premises freestanding, monument, and wall signs, in accordance with these regulations are

only permitted at properties which are zoned B3 and are within a distance of 850 feet of Albany Turnpike.

b. Height: A digital display shall have the same height limits as for other permitted signs of the same type and location.

c. Area: digital displays shall not exceed more than 30% of the total sign area permitted on the site.

d. Maximum Number per Property: Where permitted, one (1) digital display sign is permitted per property.

f. Conversion of a permitted non-digital sign to a digital sign requires the issuance of a permit pursuant to §9.10, Permits & Applications.

g. The addition of any digital display to a nonconforming sign is prohibited.

#### 4. Electrical Standards.

a. Permits for illuminated signs will not be issued without an approved electrical permit, if required. Applications for electrical permits shall be filed at the same time as the sign permit application.

b. All work shall be completed in full compliance with the Simsbury Electrical Code as set forth in the CT State Building Code.

c. The electrical supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed electrical cables. Electrical supply to freestanding signs shall be provided by means of underground cables.

d. The owner of any illuminated sign shall arrange for a certification showing compliance with the brightness standards set forth herein by an independent contractor and provide the certification documentation to Simsbury as a condition precedent to the issuance of a sign permit.

#### 5. Glare Control:

Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields, and baffles, and appropriate application of fixture mounting height, wattage, aiming angle, and fixture placement. Vegetation screens shall not be employed to serve as the primary means for controlling glare.

## 9.6 Signs in Residential Zones

In addition to the exempt signs described in Section 9.4, the following numbers and types of signs may be erected in all residential districts subject to the conditions specified herein.

A. Any temporary sign as defined and regulated in this Section 9.8.

B. Home Occupations.

1. One (1) freestanding sign shall be permitted subject to the following regulations.
  - a. Area: Each sign shall have a maximum area of thirteen (13) sq. ft. per sign face.
  - b. Height: Signs shall have a maximum height of six (6) feet.
  - c. Illumination: illumination shall not be permitted.
  
2. One (1) wall or projecting sign shall be permitted, up to two (2) sq. ft. in area.
  - a. Height: Signs shall have a maximum height equal to the eaveline or the bottom of the second story window sill, whichever is lower.
  - b. Illumination: illumination shall not be permitted.

C. Freestanding or monument signs for residential developments or apartment buildings containing more than ten units hall be permitted subject to the following regulations.

1. Number: One (1) sign per street frontage.
2. Area: Each sign shall have a maximum area of 15 sq. ft. per sign face.
3. Height: Signs shall have a maximum height of eight (8) feet.
4. Illumination: illumination shall not be permitted.

D. Summary Table for Signs in Residential Districts.

1 sign up to 6 square feet in size	OK
1 sign greater than 7 square feet no to exceed 12 square feet in size	ZP
1 sign greater than 13 not to exceed 32 square feet in size	SE
ZP = Zoning Permit SE = Special Exception OK = No permit necessary allowed within Zoning District NO- Not allowed in Zoning District	

## 9.7 Signs in Non-Residential Zones

This Section 9.7 applies all the Business, Professional, Office, and Industrial Zoning Districts. Each site is required to develop a sign plan according to the application requirements set forth in Section 9.10. Sign plans are subject to site plan approval by the Zoning Commission.

Except as noted below, the following numbers and types of signs may be erected in any industrial district commercial zoning districts subject to the conditions specified in this Regulation Section 9.10.

A. Any sign permitted in residential districts, for the appropriate uses, as defined and regulated in Section 9.6, Signs in Residential Districts

B. Any portable sign.

C. Any street pole banner.

D. The total area of all free standing, wall, awning/canopy, and projecting signs for non-residential uses shall be limited to one (1.0) square feet per one (1) linear foot of building frontage that faces a public street or parking lot, subject to maximum size limitations based on sign type.

E. Free Standing Signs

1. Free standing signs shall not exceed ten (10) feet in total height (including all supporting structures), as measured at the average grade, or twelve (12) feet in length (including all supporting structures). The minimum height from the ground to the bottom of the sign area shall be twenty-four (24) inches.

2. Each lot or combination of lots shown on one common site plan shall be allowed one (1) free standing sign.

E. Wall signs for non-residential uses shall be permitted subject to the following regulations.

1. Number: One (1) sign per tenant per street frontage, up to a maximum of two (2) signs per tenant. Where a store has entrances facing both a street and a parking lot, a second sign is permitted to face the parking lot.

2. Area: Each sign shall have a maximum area of 32 sq. ft. per sign face.

3. Height: Signs shall have a maximum height equal to the eaveline.

4. Illumination: The following illumination types shall be permitted subject to the regulations in §9.5.F. Sign Illumination.

a. Internal illumination (only at properties which are zoned B3 and located within 850 feet of Albany Turnpike)

b. External illumination, lit from above

c. Halo illumination or back-lit letters

5. Wall signs shall not exceed two-third (2/3) of the length of the building frontage, but in no case, shall exceed the total sign area specified in this Regulation as defined above.

6. Wall signs shall not project more than fifteen (15) inches from the surface to which they are attached.

F. Awning or canopy signs for non-residential uses shall be permitted subject to the following regulations.

1. Height: Signs shall have a maximum height equal to the eaveline.

2. Illumination: The following illumination types shall be permitted subject to the regulations in §9.5.F. Sign Illumination.

a. External illumination, lit from above

G. Projecting signs for non-residential uses shall be permitted subject to the following regulations.

1. Number: One (1) sign per ground floor establishment, plus one (1) sign per building entrance serving one or more commercial tenants without a ground floor entrance.

2. Area: Each sign shall have a maximum area of twenty (20) sq. ft. per sign face.

3. Height: Signs shall have a maximum height equal to the eaveline.

4. Illumination: The following illumination types shall be permitted subject to the regulations in §9.5.F. Sign Illumination.

a. External illumination, lit from above

H. Window signs for non-residential uses shall be permitted subject to the following regulations.

1. Area: A maximum of 25% of the total window area of any single storefront may be used for permanent signs that are etched, painted, or permanently affixed to the window. A maximum of 35% of the total window area of any single storefront may be covered by a combination of permanent and temporary window signs.

2. Illumination: illumination types shall be permitted subject to the regulations in 9.5.F. Sign Illumination.

I. Optional: Upper-level building identification signs shall be permitted subject to the following regulations.

1. Number: One (1) sign per building.

2. Area: Each sign shall have a maximum area of 200 sq. ft.

3. Height: Signs shall have a maximum height of ten (10) feet and shall not extend vertically beyond the eaveline.

4. Location: Signs shall be limited to buildings at least three (3) stories in height and shall be located only on the top floor of such buildings.

5. Illumination: The following illumination types shall be permitted subject to the regulations in §9.5.F. Sign Illumination.
- a. Internal illumination

J. Summary Table for Signs in Commercial and Industrial Districts.

The total area of all wall, canopy and free-standing signs shall be one (1) square foot of signage for every running foot of building frontage(s) except that in no case shall any free-standing sign be more than thirty-two (32) square feet.

Type of Sign	Total Permitted	Design Standards	Approval Required
<b>Free Standing</b>	1 per property	Total area not to exceed 32 square feet, 10 feet in height, and 12 feet in length.  Landscaping along base of sign to be provided 4 feet around base of sign	Site Plan
<b>Wall Mounted/Canopy</b>	N/A	Wall mounted/ Canopy signs are not to exceed 2/3 of the building's frontage along a public right of way.	Site Plan

### 9.8 Temporary Signs

Temporary signs, as defined in this Section, located on private property, are exempt from standard permit requirements. Temporary signs that comply with the requirements in this subsection shall not be included in the determination of the type, number, or area of signs allowed on a property.

A. Subject to the provisions of this Section 9.8, temporary signs are permitted in all Zoning Districts. Temporary signs can be banners, pennants, posters, or advertising displays.

B. Approval:

The table below highlights the required approvals for temporary signs located in residential zoning districts based on size:

Sign not exceeding 6 square feet	OK
----------------------------------	----

Sign between 7 and 12 square feet; Sign is to be removed after 90 days	ZP
Sign that is greater than 13 square feet not to exceed 32 square feet; Sign is to be removed after 90 days	SP
ZP = Zoning Permit SE = Special Exception SP = Site Plan OK = No permit necessary allowed within Zoning District NO = Not allowed in Zoning District	

C. Duration and Removal

1. Temporary signs may be displayed up to a maximum of 30 consecutive days, two (2) times per year.
2. The Town of Simsbury or the property owner may confiscate signs installed in violation of this chapter. Neither the Town nor the property owner is responsible for notifying sign owners of confiscation of an illegal sign.

D. Permission: The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.

E. Municipal Notification: Temporary signs are exempt from the standard permit requirements but the date of erection of a temporary sign must be written in indelible ink on the lower right hand corner of the sign.

F. Installation and Maintenance:

1. All temporary signs must be installed such that in the opinion of the Simsbury Building Official do not create a safety hazard.
2. All temporary signs must be made of durable materials and shall be well-maintained.
3. Temporary signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.

G. Signs on Town Property: No temporary sign shall be erected or placed on public property unless written permission is provided by the Town Manager or his/her designee.

H. Illumination: Illumination of any temporary sign is prohibited.

**9.9 Removal of Unsafe, Unlawful or Abandoned Signs**

A. Unsafe or Unlawful Signs.

1. Upon written notice by the Zoning Enforcement Officer or his or her designee, the owner, person, or firm maintaining a sign shall remove the sign when it becomes unsafe, is in danger of falling, or it becomes so deteriorated that it no longer serves a useful purpose of communication, or it is determined by the Zoning Enforcement Officer or his or her designee to be a nuisance, or it is deemed unsafe by the Zoning Enforcement Officer or his or her designee, or it is unlawfully erected in violation of any of the provisions of this Article.

2. The Zoning Enforcement Officer or his or her designee may remove or cause to be removed the sign at the expense of the owner and/ or lessee in the event of the owner of the person or firm maintaining the sign has not complied with the terms of the notice within thirty (30) days of the date of the notice. In the event of immediate danger, the Zoning Enforcement Officer or his or her designee may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.

B. Abandoned Signs.

1. It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign within 180 days of the sign becoming abandoned as defined in this section. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure, and structural trim.

2. Where the owner of the property on which an abandoned sign is located fails to remove such sign in 180 days the Zoning Enforcement Officer or his or her designee may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property.

## **9.10 Permits, Applications and Review Standards**

A. Permit Required:

It shall be unlawful for any person, firm, or corporation to erect, alter, repair, or relocate any sign within the Town of Simsbury without first obtaining a sign permit, unless the sign is specifically exempt from the permit requirements as outlined in this Section.

B. Application Requirements:

The application for a sign permit shall require the following information unless Town Planning Staff determine any portion of the required information to be unnecessary or inapplicable.

1. Name of organization and location.

2. Name, address, and telephone number of the property owner, and the signature of the property owner or duly authorized agent for the owner.

3. Contact person and contact information.
4. Description of the activities occurring on the site where the sign will be installed.
5. Description of any existing signage that will remain on the site.
6. Identification of the type of sign(s) to be erected by the applicant.
7. Site plan depicting the locations of proposed signage and existing remaining signage.
8. Two copies of a plan drawn to scale depicting:
  - a. Lot dimensions, building frontage, and existing cartways, rights-of-way and driveways.
  - b. The design of each sign face and sign structure, including dimensions, total area, sign height, depth, color scheme, structural details, materials, lighting scheme and proposed location.
  - c. Building elevations, existing and proposed facades, parapet walls, eaveline and the location and size of all proposed and existing permanent signage.
  - d. Current photographs showing existing signs on the premises and certifying the date on which photographs were taken.
9. If the sign is in a Historic District, confirmation that an application has been submitted to the Historic District Commission.
10. A permit fee, to be established from time to time by Resolution of Simsbury Board of Selectmen, shall be paid.

C. Review Standards:

The following design standards shall be utilized in evaluating proposed signs in all zones:

1. In addition to the review criteria set forth in this Section, the Zoning Commission, or its staff, as the case may be, shall consider the size, scale, landscaping, and support of the sign in relation to its specific location, purpose of the sign, other buildings, and signs in the immediate vicinity and how closely the sign conforms to the Town of Simsbury's Design Guidelines.
2. Free-standing signs shall be adequately landscaped at ground level for a minimum horizontal distance of four (4) feet from the base and a minimum vertical distance of twelve (12) inches from ground level. Plant material shall consist primarily of low growing evergreen shrubs, however, low-growing deciduous shrubs, annuals and/or perennial flowering plants and/or groundcovers may be used in the planting bed.

3. Except as may be required by Building, Fire or other Life Safety Code, no sign shall be attached to any tree, fence, utility pole or be permitted to be painted directly onto any pavement or opaque wall of any building or structure. Permanent signs limited to letters, numbers and logos shown on an approved Sign or Site Plan may be affixed to window. Temporary signs may be affixed to windows.

4. All signs allowed under this section shall be located within the property lines of the site that they are intended to serve. In no case shall any part of the sign or supporting structure project beyond the property line.

D. Expiration:

Except for lighting permits for digital signs, these permits shall not expire provided that such signs are not abandoned or destroyed. In the instance that substantial repair or replacement becomes necessary (i.e., repairs that costs more than 50% of the replacement cost of the damaged sign); the organization must apply for a new sign permit, and pay an additional fee, if required.

## **9.11 Nonconforming Signs**

A. Signs legally in existence at the time of the adoption of this Regulation, which do not conform to the requirements of this Regulation, shall be considered nonconforming signs.

B. All permanent signs and sign structures shall be brought into conformance with the sign regulations when and if the following occurs:

1. The sign is removed, relocated, or significantly altered. Significant alterations include changes in the size or dimension of the sign. Changes to the sign copy or the replacement of a sign face on a nonconforming sign shall not be considered a significant alteration.
2. If more than 50% of the sign area is damaged, it shall be repaired to conform to this Regulation.
3. An alteration in the structure of a sign support.
4. A change in the mechanical facilities or type of illumination
5. A change in the material of the sign face.
6. The property on which the nonconforming sign is located submits a subdivision or land development application requiring municipal review and approval.
7. The property on which the nonconforming sign is located undergoes a change of land use requiring the issuance of either a use and occupancy permit or a change of use and occupancy permit by Simsbury Building Official.

C. To determine the legal status of existing signs in each of the cases listed, the applicant shall submit the following information to the Zoning Enforcement Officer:

1. Type(s) of existing sign(s) located on the property.
2. The area and height of all signs.
3. For freestanding signs, the distance between the curblineline or shoulder and the nearest portion of the sign.
4. Type of sign illumination.
5. The material of which the sign is constructed.
6. The building frontage.

D. Nonconforming signs shall be exempt from the provisions of this Section, under the following conditions:

1. The nonconforming sign possesses documented historic value.
2. When a nonconforming sign is required to be moved because of public right of way improvements.

E. All nonconforming temporary signs, portable signs, and banners must be permanently removed within Ninety (90) days of the effective date of this Article, unless specific approval is granted as provided for herein.

### **9.12 Signs on the Premises of Legally Nonconforming Uses.**

A. Signs on the premises of legally nonconforming uses (such as an office in a residential area) may remain until the existing use of the premises is discontinued.

B. If a sign wears out or is damaged (including rust, faded colors, discoloration, holes, or missing parts or informational items), or is changed for any other reason, the number, size, and area of all signs relating to the premises shall not be increased beyond the characteristics of the sign or signs that existed on that property at the time this Section was adopted.

### **9.13 Violations**

The placement of a sign that requires a sign permit without a sign permit shall be unlawful. Violators shall be fined a daily fee per sign displayed in violation of this Regulation. The fee amount shall be established from time to time by Resolution of the Zoning Commission as approved by the Board of Selectmen.

